

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

TR&B Department – Andhra Pradesh Road Development Corporation – AP State Highway Project – Settlement of claims and disputes – Payment towards Arbitrator’s fee, legal counsel fee and other expenditure from RDC funds – Reimbursement – Orders – Issued.

TRANSPORT, ROADS & BUILDINGS (R.IV) DEPARTMENT

G.O.Rt.No. 329

Dated: 03.04.2010.
Read the following:

1. From the CE(R&B) CRN & MD,APRDC., Lr.No.5707/Legal Counsel/APRDC/DCEII/DEE1/AEE2/2007, dt: 11.7.2006 & 1.10.2009.
 2. Govt. Memo No.8151/R.IV.2/2006, dt:6.12.2006.
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O R D E R:

The Chief Engineer (R&B) Core Road Network & Managing Director, Andhra Pradesh Road Development Corporation vide reference read above, has stated that certain claims and disputes have arisen between the contractors and department in the works taken up under AP State Highways Project with loan assistance of World Bank during 1996-2004. Two tier dispute resolution mechanisms (i.e. Dispute Review Board and Arbitration) was stipulated in the contract. Accordingly, the disputes have been referred to DRB and Arbitration.

2. In the Government Memo 2nd read above, the Managing Director, Andhra Pradesh Road Development Corporation was advised to engage the most competent legal counsel on case by case basis.

3. The Managing Director, Andhra Pradesh Road Development Corporation as per the direction of Government and Governing Body, had appointed the legal counsel and they are presently taking up the cases in Arbitration, City Civil Court, High Court, etc., and fees for legal counsel and Arbitrators are being paid from APRDC funds. He Has therefore, requested the Government to reimburse the amount i.e. Rs.29,03,558/- (Rupees twenty nine lakhs three thousand five hundred and fifty only) paid towards fees for the following counsel/Arbitrators from appropriate heads of accounts so as to meet further requirement of fees:

APSHP PACKAGE	Name of the Arbitrator / Legal Council	Amount paid in Rs.
Package-3	C.C.Bhattacharya – Presiding Arbitrator	1,15,000/-
Package-3	Md.Gousuddin-Employer side Arbitrator	1,70,000/-
Package-3	V.Prasad Rao – Advocate (Legal Counsel)	4,10,000/-
Package-5	D.V.S.Sharma – Presiding Arbitrator	2,81,000/-
Package-5	P.V.Ramaraju – Employer side Arbitrator	5,90,000/-
Package-5	M.Y.K.Rayudu – Advocate (Legal counsel)	5,20,000/-
Package-9	D.Rama Rao – Presiding Arbitrator	25,000/-
Package-9	Md.Gousuddin – Employer side	25,468/-
Package-11	K.K.Sarin – Presiding Arbitrator	3,15,590/-
Package-11	P.V.Ramaraju – Employer side Arbitrator	1,61,500/-
Retainer fee for taking up miscellaneous legal services	M.Y.K.Rayudu	1,20,000/-
	A.Ramalingeswara Rao	1,70,000/-
	TOTAL	29,03,558/-

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4. Government after careful examination of the proposal, have decided to ratify the action of the Managing Director, Andhra Pradesh Road Development Corporation in having incurred the expenditure from the available Andhra Pradesh Road Development Corporation funds. Accordingly, the amount of Rs.29,03,558/- (Rupees twenty nine lakhs three thousand five hundred and fifty eight only) spent for payment of fees for legal counsel and Arbitrators is hereby reimbursed.

5. The above expenditure shall be met from the normal state plan or non-plan funds under the relevant Heads of account.

4. This order issues with the concurrence of Finance Department vide their U.O.No.01828/69/A2/Expr.PWD/10, dt. 30-3-2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

D. LAKSHMI PARTHASARATHY
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Chief Engineer (R&B) Core Road Network &
Managing Director,
Andhra Pradesh Road Development Corporation, Hyderabad.
Copy to: Finance (Expr.PW) Deptt.
PS to M(R&B)
PS to Prl.Secretary, TR&B
SF/SC.

//FORWARDED BY ORDER//

SECTION OFFICER